

REMARKS/ARGUMENTS

Claims 1-94 are currently pending in the application. The examiner determined that claims 1-94 are subject to a restriction requirement in the Office Action mailed July 9, 2007 (hereinafter referred to as "Office Action"). It is believed that no fees are due at this time. In view of the following remarks and amendments, applicant respectfully requests a timely Notice of Allowance be issued in this case.

Restriction Requirement

The examiner determined that claims 1-94 are subject to a restriction requirement based on the following inventions:

- Species 1: Claims 1-19, 30-49 and 66-84 drawn to method, system and computer-readable medium for energy trading, classified in class 705, subclass 37; and
- Species 2: Claims 20-29, 50-65 and 85-94 drawn to method, system and computer-readable medium for controlling operation of electrical power generation or distribution system, classified in class 700, subclass 286.

The examiner stated that the inventions "are independent or distinct because Species 2 has utility separate from that of Species 1 such as controlling operation of electrical power generation or distribution system."

Every requirement to restrict has two aspects, (1) the reasons (as distinguished from the mere statement of conclusion) why the inventions as claimed are either independent or distinct, and (2) the reasons for insisting upon restriction there between. MPEP § 808. Applicant respectfully submits that the examiner merely states a conclusion that the inventions are independent and distinct species and does not satisfy the requirements of MPEP § 808. However, in order to advance prosecution of the application, applicant elects, with traverse, Species 1 containing claims 1-19, 30-49 and 66-84. As a result, claims 20-29, 50-65 and 85-94 are hereby withdrawn with traverse. Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. § 1.141.

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Conclusion

For the reasons set forth above, applicant respectfully requests reconsideration by the examiner and withdrawal of the restriction requirement. Applicant submits that claims 1-19, 30-49 and 66-84 are fully patentable. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If the examiner has any questions or comments, or if further clarification is required, it is requested that the examiner contact the undersigned at the telephone number listed below.

Date: August 9, 2007

Respectfully submitted,

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